

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**

**NASHVILLE, TENNESSEE**

**January 4, 2005**

**IN RE:**

**APPLICATION FOR AUTHORITY TO PROVIDE  
OPERATOR SERVICES AND/OR RESELL  
TELECOMMUNICATIONS SERVICES IN  
TENNESSEE PURSUANT TO RULE 1220-4-2-.57**

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**DOCKET NO.  
98-00235**

**Company ID: 128132**

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**ORDER REVOKING AUTHORITY TO PROVIDE OPERATOR SERVICES  
AND/OR RESELL TELECOMMUNICATIONS SERVICES IN TENNESSEE  
FOR NON-PAYMENT OF FEES**

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This matter came before Chairman Pat Miller, Director Deborah Taylor Tate and Director Sara Kyle of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on December 13, 2004 to cancel the authority of Max-Tel Communications, Inc. (the "Company") to offer operator services and/or resell telecommunications services in Tennessee due to non-payment of its annual inspection fee pursuant to Tenn. Code Ann. § 65-4-301(a)(1) (2004).<sup>1</sup>

The Company originally filed its Application to provide operator services and/or resell telecommunications services within the State of Tennessee on April 1, 1998. During a regularly scheduled Authority Conference held on July 21, 1998, the Directors concluded that the Company had met all the requirements for certification and the requirements of Tenn. Comp.

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<sup>1</sup> Tenn. Code Ann. § 65-4-301(a)(1) (2004) provides

Every public utility doing business in this state and subject to the control and jurisdiction of the authority to which the provisions of this chapter apply, shall pay to the state of Tennessee on or before April 1 of each year, a fee for the inspection, control and supervision of the business, service and rates of such public utility.

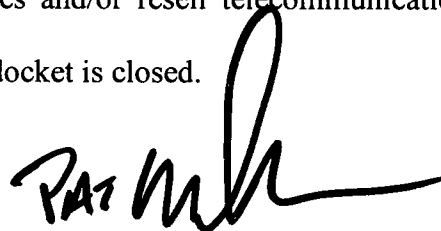
R. & Regs. 1220-4-2-.57 which was promulgated pursuant to, *inter alia*, Tenn. Code Ann. § 65-2-102 (2004) and Tenn. Code Ann. § 65-4-201 (2004), and voted unanimously to authorize the Company to provide operator services and/or resell telecommunications services in Tennessee.

An initial notice advising the Company of its failure to comply with the requirements of Tenn. Code Ann. § 65-4-301(a)(1) (2004), was mailed on February 2, 2004. A second notice was mailed on June 17, 2004. Finally, a Notice of Cancellation was mailed on August 16, 2004 via certified mail. The Company failed to respond. As a result of this failure, this matter was placed on the December 13, 2004 Authority Conference for the voting panel assigned to this docket to consider revocation of the authority of the Company to provide operator services and/or resell telecommunications services due to non-payment of fees.

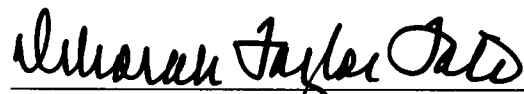
Based upon careful consideration of the record of this matter, the panel voted unanimously to revoke the authority of the Company to provide operator services and/or resell telecommunications services in Tennessee.

**IT IS THEREFORE ORDERED THAT:**

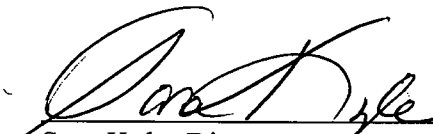
As a result of the non-payment of fees, the authority granted to Max-Tel Communications, Inc. to provide operator services and/or resell telecommunications services within the State of Tennessee is revoked, and this docket is closed.



Pat Miller, Chairman



Deborah Taylor Tate, Director



Sara Kyle, Director